

SAMHSA Cooperative Agreements Terms and Conditions of Award

This cooperative agreement funds and sets the terms and conditions governing a collaborative effort between _____ and the Center, the Substance Abuse and Mental Health Services Administration (SAMHSA).

While the responsibility for conducting these activities lie primarily with _____ and the Center for Substance Abuse and Mental Health Services Administration (SAMHSA), through its designated representatives they shall provide continuing technical assistance, consultation, and coordination in the conduct of the project during the period of this agreement. In addition to these terms and conditions, the applicable statutes and regulations, grantees are bound by DHHS Grant Policies and all requirements in the Request for Application (RFA) document.

Role of Grantee:

The role of the Grantee will be consistent with the requirements in the Request for Application (RFA) document.

Role of the Federal Project Officer:

The Project Officer (PO) will have overall responsibility for monitoring the conduct and progress of Grantee Sites, including conducting site visits. The PO will provide substantial input, in collaboration with the grantees, both in the planning and implementation of the program and in evaluation activities, and will make recommendations regarding program continuance. Likewise, Federal Project Officers will participate in the publication of results and packaging and dissemination of products and materials in order to make the findings available to the field. The Substance Abuse and Mental Health Services Administration (SAMHSA) staff will receive authorship/co-authorship credit on all publications to which they have made substantial contribution and any additional duties, which are consistent with the requests in the Request for Application (RFA) document.

Role of the Grants Management Officer:

The Grants Management Officer (GMO) is responsible for all business management aspects of negotiation, award, financial and administrative aspects of the cooperative agreement. The GMO utilizes information from site visits, reviews of expenditure and audit reports and other appropriate means to assure that the project is operated in compliance with all applicable Federal laws, regulations, guidelines and the terms and conditions of award. Questions concerning the applicability of regulations and policies to this cooperative agreement and all requests for required prior approvals such as requests for permission to expend funds for certain items should be directed to the GMO. Required approvals must be provided in writing and the GMO is the only person, except for the SAMHSA Administrator, who may grant such required approvals. Written approvals granted by other officials are not binding on the government. All changes in the terms of the cooperative agreement award must be issued in writing by the GMO.

STANDARD TERMS OF AWARD:

1. This grant is subject to the terms and conditions, included directly, or incorporated by reference on the Notice of Grant Award. Refer to the order of precedence in Block 16 on the Notice of Grant Award.
2. The grantee organization is legally and financially responsible for all aspects of this grant, including funds provided to sub-recipients.
3. Grants funds cannot be used to supplant current funding of existing activities.
4. The recommended future support as indicated on the Notice of Grant Awarded reflects TOTAL costs (direct plus indirect). Funding is subject to the availability of Federal funds, and that matching funds, (if applicable), is verifiable, progress of the grant is documented and acceptable.
5. By law, none of the funds awarded can be used to pay the salary of an individual at a rate in excess of the Executive Level I, which is \$181,100 annually.
6. "Confidentiality of Alcohol and Drug Abuse Patient Records" regulations (42CFR 2) are applicable to any information about alcohol and other drug abuse patients obtained by a "program" (42 CFR 2.11), if the program is federally assisted in any manner (42 CFR 2.12b).

Accordingly, all project patient records are confidential and may be disclosed and used only in accordance with (42 CFR 2). The grantee is responsible for assuring compliance with these regulations and principles, including responsibility for assuring the security and confidentiality of all electronically transmitted patient material.

7. Accounting Records and Disclosure - Awardees and sub-recipients must maintain records with adequately identify the source and application of funds provided for financially assisted activities. These records must contain information pertaining to grant or subgrant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income. The awardee, and all its sub-recipients, should expect that SAMHSA, or its designee, may conduct a financial compliance audit and on-site program review annually on grants with significant amounts of Federal funding.
8. Per 45 CFR 92.34 any copyrighted or copyrightable works developed under this cooperative agreement/grant shall be subject to a royalty free, nonexclusive and irrevocable license to the government to reproduce, publish, or otherwise use them and to authorize others to do so for Federal Government purposes. Income earned from any copyrightable work developed under this grant must be used a program income.
9. A notice in response to the President's Welfare-to-Work Initiative was published in the Federal Register on May 16, 1997. This initiative is designed to facilitate and encourage grantees and their sub-recipients to hire welfare recipients and to provide additional needed training and/or mentoring as needed. The text of the notice is available electronically on the OMB home page at www.whitehouse.gov/wh/eop/omb.

10. The DHHS Appropriations Act requires that to the greatest extent practicable, all equipment and products purchased with funds made available under this award should be American made.
11. Program Income accrued under the award must be accounted for in accordance with (45CFR 74.24) or (45 CFR 92.25) as applicable. Program income must be reported on the Financial Status Report, Standard Form 269 (long form).

Program income accrued under this award may be used in accordance with the additional costs alternative described in (45 CFR 74.24(b)(1)) or (45 CFR 92.25(g)(2)) as applicable. Program income must be used to further the grant objectives and shall only be used for allowable costs as set forth in the applicable OMB administrative requirements.

12. Actions that require prior approval must be submitted in writing to the Grants Management Officer (GMO), SAMHSA. The request must bear the signature of an authorized business official of the grantee organization as well as the project director. Approval of the request may only be granted by the GMO and will be in writing. No other written or oral approval should be accepted and will not be binding on SAMHSA.
13. Any replacement of, or substantial reduction in effort of the Program Director (PD) or other key staff of the grantee or any of the sub-recipients requires the written prior approval of the GMO. The GMO must approve the selection of the PD or other key personnel, if the individual being nominated for the position had not been named in the approved application, or if a replacement is needed should the incumbent step down or be unable to execute the position's responsibilities. A resume for the individual(s) being nominated must be included with the request. Key staff (or key staff positions, if staff has not been selected) are listed below:
 - _____(name)_____, Principle Director, to be hired @ unstated level of effort.
 - _____(name)_____, Co-Investigator, to be hired @ unstated level of effort.
 - _____(name)_____, MIS Director, to be hired @ unstated level of effort.
 - _____(name)_____, Primary Evaluator, to be hired @ unstated level of effort.
 - _____(name)_____, Project Director, for the treatment component that receives either direct or indirect (via subcontract) funding from CSAT.
 - _____(name)_____, Interagency Coordinator, to be hired @ unstated level of effort.
14. None of the Federal funds provided under this award shall be used to carry out any program for distributing sterile needles or syringes for the hypodermic injection of any illegal drug.
15. Refer to the back of the Notice of Grant Awarded for information regarding grant payment information (1) and the Health and Human Services Inspector General's Hotline for information concerning fraud, waste or abuse.
16. As the grantee organization, you acknowledge acceptance of the grant terms and conditions by drawing or otherwise obtaining funds from the Payment Management System. In doing so, your organization must ensure that you exercise prudent stewardship over Federal funds and that all costs are allowable, allocable and reasonable.

17. No DHHS funds may be paid as profit (fees) per (45 CFR Parts 74.81 and 92.22(2)).

18. RESTRICTIONS ON GRANTEE LOBBYING (Appropriations Act Section 503).

(a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

REPORTING REQUIREMENTS:

1. Financial Status Report, Standard Form 269 (long form) is due within 90 days after expiration of the budget period, and 90 days after the expiration of the project period.
2. Submission of a Programmatic Report is due annually. Additional information regarding this requirement will be provided at a later date by your project officer or their representative.
3. The grantee must comply with the GPRA requirements that includes the collection and periodic reporting of performance data as specified in the GFA or by the Project Officer. This information is needed in order to comply with PL 102-62 which requires that SAMHSA report evaluation data to ensure the effectiveness and efficiency of its programs.
4. Submission of audit reports in accordance with the procedures established in OMB Circular

A-133 is required by the Single Audit Act Amendments of 1966 (P.L. 104-156). An audit is required for all entities which expend \$500,000 or more of Federal funds in each fiscal year and is due to the Clearinghouse within 30 days of receipt from the auditor or within nine (9) months of the fiscal year, whichever occurs first, to the following address:

Federal Audit Clearinghouse
Bureau of the Census
1201 E. 10th Street
Jeffersonville, IN 47132

Failure to comply with this requirement may result in DHHS sanctions placed against your organization, i.e., classification as high risk, conversion to a reimbursement method of payment, suspension or termination of award.

HUMAN SUBJECTS:

Under governing regulations, Federal funds administered by the DHHS shall not be expended for, and individuals shall not be enrolled in research involving human subjects without prior approval by the Substance Abuse and Mental Health Administration of the project's procedures for protection of human subjects. This restriction applies to all Multiple Project Assurance grantee institutions and performance sites without human subjects certification. For institutions with a Single Project Assurance, but no certification at time of award, no funds may be expended or individuals enrolled in research without prior approval by the Office for Human Research Protection (OHRP) of an assurance to comply with the requirements of (45 CFR 46) to protect human research subjects.

INDIRECT COSTS:

1. Grantees that have never established indirect cost rates are required to submit an indirect cost proposal to the appropriate office within 90 days from the start date of the project period of the effective date of the award. If the grantee requests indirect cost reimbursement but does not have an approved rate agreement at the time of award, the grantee shall be limited to a provisional rate equaling one-half of the indirect costs requested, up to a maximum of 10 percent of salaries and wages.

Please contact the appropriate office of the Division of Cost Allocation to begin the process for establishing an indirect cost rate. A list of the offices was included with your application package, and on page 7 of the SAMHSA "Welcome Wagon" Notice - Information for New Grantees but may also be found on-line through www.samhsa.gov, then click "Grant Opportunities" then click "Welcome Wagon."

CONTACTS:

Grants Management Specialist:

Name : {GRANTS_SPEC_NAME}
Address: See Below
Phone : {GRANTS_SPEC_PHONE}
Fax : {GRANTS_SPEC_FAX}
E-mail : {GRANTS_SPEC_EMAIL}

Federal Project Officer:

Name : {PROJ_OFFICER_NAME}
Address :
SAMHSA
Suite
1 Choke Cherry, Rockville, MD 20857
Phone : {PROJ_OFFICER_PHONE}
Fax : {PROJ_OFFICER_FAX}
E-mail : {PROJ_OFFICER_EMAIL}

All responses to special terms and conditions of award and postaward requests must be mailed to the Grants Management Branch, OPS, SAMHSA below:

For Regular Delivery:

Division of Grants Management (DGM), OPS, SAMHSA
1 Choke Cherry
Room 7-1091
Rockville, MD 20857
240-276-1400

For Overnight or Direct Delivery:

Division of Grants Management (DGM), OPS, SAMHSA
1 Choke Cherry
Room 7-1091
Rockville, MD 20850